

1 NANCY HERSH, ESQ., State Bar No. 49091
2 MARK E. BURTON, JR., ESQ., State Bar No. 178400
3 RACHEL ABRAMS, ESQ., State Bar No. 209316
3 JEANETTE HAGGAS, ESQ., State Bar No. 244713
4 HERSH & HERSH
4 A Professional Corporation
5 601 Van Ness Avenue, 2080 Opera Plaza
5 San Francisco, CA 94102-6388
6 Telephone: (415) 441-5544
6 Facsimile: (415) 441-7586

7 Attorneys for Plaintiffs
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10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **(SAN FRANCISCO DIVISION)**

14 STATE OF CALIFORNIA ex rel.) CASE NUMBER 07-CV-04911-CRB
15 JAYDEEN VICENTE and JAYDEEN)
15 VICENTE Individually,) **EX PARTE APPLICATION TO EXCEED**
16 Plaintiffs,) **THE 15-PAGE LIMITATION ON**
16) **OPPOSITION BRIEFS**
17 vs.)
18 ELI LILLY AND COMPANY,)
19 Defendant.)
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2 Plaintiff-Relator Vicente's *Ex Parte* Application is made pursuant to this Court's
3 standing orders and Civil Local Rules 7-10 and 7-11.

4 Counsel for Relator Vicente contacted two of Defendant's attorneys by email on
5 Thursday, November 15, 2007, requesting a stipulation to exceed the 15-Page Limitation
6 on briefs for Vicente's Opposition To Defendant Eli Lilly & Company's Motion To
7 Dismiss. That evening I discussed the matter with the attorneys for Defendant and they
8 refused to stipulate to exceed the 15 page limitation and allow the normal 25 page
9 limitation.

10 At the time the motion to dismiss was filed, the case was pending before the Hon.
11 Susan Illston and the motion's memorandum of law exceeds 20 pages. Further, the
12 motion to dismiss is made on multiple statutory grounds and raises complex issues
13 regarding qui tam law and California's Unfair Competition law. Thus, Relator Vicente
14 requests that she be allowed the page limitation provided for by the Federal Rules of
15 Civil Procedure of 25 pages for her Opposition to Defendant's Motion to Dismiss.

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17 DATED: November 16, 2007.

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19 Hersh & Hersh
A Professional Corporation

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21 By _____ s/ Mark Burton
22 NANCY HERSH, ESQ., State Bar No. 49091
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JEANETTE HAGGAS, ESQ., State Bar No. 244713
HERSH & HERSH, A Professional Corporation
601 Van Ness Avenue, 2080 Opera Plaza
San Francisco, CA 94102-6388
(415) 441-5544
Attorneys for Plaintiff